

Customer No.: 31561
Application No: 10/707,222
Docket No.:11794-US-PA

REMARKS

Present Status of the Application

This is a full and timely response to the outstanding non-final Office Action mailed on September 8, 2004. The Office Action has rejected claims 1-21 under 35 U.S.C. 102(e) as being anticipated by Matsumoto et al. (US-2004/0145028).

Claims 1-21 remain pending of which claims 1 and 10 have been amended and claims 4-5 and 15-16 have been amended to more accurately describe the invention. It is believed that no new matter is added by way of these amendments made to the claims or otherwise to the application.

Applicant has most respectfully considered the remarks set forth in this Office Action. Regarding the obvious rejections, it is however strongly believed that the cited references are deficient to adequately teach the claimed features as recited in the presently pending claims. The reasons that motivate the above position of the Applicant are discussed in detail hereafter, upon which reconsideration of the claims is most earnestly solicited.

Discussion of Office Action Rejections

The Office Action rejected claims 1-21 under 35 U.S.C. §102(e) as being anticipated by Matsumoto et al. (US-2004/0145028, Matsumoto hereinafter).

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Applicants respectfully submit that Matsumoto is legally deficient for the purpose of rendering claims 1 or 10 anticipated because the reference fails to teach or suggest each and every element recited in the claims.

The present invention teaches, among other things, 'a plurality of lump patterns is set up in the low dielectric constant material layer within the scribe line such that the lump patterns pave the scribe line area outside the processing or testing pattern almost completely, and the lump patterns are arranged to form a cyclically staggered array.' Matsumoto, on the other hand, teaches that dummy patterns 4 are arranged in a grid pattern in scribe line areas 2, dummy patterns 4 and the spacing between dummy patterns 4 are aligned evenly (Figs.5, 11, [0034]). Matsumoto further fails to teach the lump patterns pave the scribe line area almost completely.

For at least these reasons, Applicant respectfully asserts that Matsumoto fails to teach or suggest the present invention or to render claims 1 and 10 anticipated. Since claims 2-3, 6-9 and 11-14, 17-21 are dependent claims, which further define the invention recited in claims 1 & 10, Applicants respectfully assert that these claims also are in condition for allowance. Thus, reconsideration and withdrawal of this rejection are respectively requested.

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CONCLUSION

For at least the foregoing reasons, it is believed that the presently pending claims 1-3, 6-14, 17-21 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

Date :

Dec. 8, 2004

Respectfully submitted,

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